



April 1, 2003

U. S. Dept. of Commerce
Office and Trademark Office
Patent Office
ATTN: Charles Goodman, Patent Examiner
Washington, D. C. 20231

Subject: Patent Application No. 09/025,896

Dear Mr. Goodman:

Response to your office action summary, dated January 29, 2003, covering claim rejections to the cabbage cutter is submitted below:

2 The stoma flange cutter anticipated by Steib et al that you referenced and compared to my invention differs from the cabbage cutter in that the stoma flange cutter comprises two sections, a top section and a bottom section, that are separable and movable. The circular cutter is press fitted into a suitable groove, with support, on the first surface of the top section with the sharpened edge extending away from surface. The second section has first and second spaced surface portions. The cutter element is adapted to cut in cooperation with the second section. The cutter element can be adapted to flip end-to-end when one end becomes dull, whereas, the cabbage cutter comprises one section, and device has one cutting and chopping edge that cannot be adapted to flip end-to-end due to the closed top and permanently affixed handgrip on the opposite end but can be sharpened when it becomes dull. The material is inserted between the two sections of the stoma flange cutter for cutting, whereas, the cutting and chopping edge is located on the open bottom rim of the cabbage cutter. When the stoma flange cutter is not in use the device is inserted into an open ended envelope (package cover) means

that is square in configuration with the lateral dimensions similar to the diametric extent of the device where sections are effectively held together for protection, storage, and transportation, whereas, the removable protective cover for the cabbage cutter is contiguous with the cutting and chopping edge and is placed directly over the edge when the device is not in use or stored.

The ice-cream dispenser anticipated by Fred P. Rothje differs from the cabbage cutter in that the ice-cream dispenser lacks a cover for the cutting edge, and involves the use of rotary cutters within the cylindrical body, whereas, the cutting and chopping edge of the cabbage cutter is located on the bottom rim of the cylindrical body and the cutting and chopping edge has a protective cover that is placed over the cutting and chopping edge when the device is not in use or stored.

The kitchen utensil anticipated by B. L. Collins differs from the cabbage cutter in that the kitchen utensil lacks a protective cover for the cutting edge and a permanently affixed cap (hand grip), the hand grip for the kitchen utensil is removable and comprises a cylinder with an annular recess into which the cylindrical body of the device is adapted to fit, and the frictional engagement between the two during use causes the hand grip to be held to the cylindrical body, whereas, the hand grip for the cabbage cutter is permanently affixed to the closed top.

The vegetable cutter anticipated by J. F. Bell differs from the cabbage cutter in that the vegetable cutter is provided at a point adjacent its open or cutting end with an annular circumferential corrugation presenting a convex exterior surface, and the device is provided with vent openings near the closed end where air steam or the like will escape while the device is in operation; and the vegetable cutter lacks a protective cover for the cutting edge, whereas, the body of the cabbage cutter has an imperforate, smooth interior and exterior surfaces, and the device has a protective cover for the cutting and chopping edge.

The circle cutter and protective cover anticipated by J. M. Snyder differs from the cabbage Cutter in that the cutting element for the circle cutter is a blade with a centering pin. The bottom of the cutter is closed except for a slit provided through which blade is positioned. The circle cutter requires some assembling but may be maintained

permanently when the cutter is put together by the use of a suitable bonding agent, whereas, the cutting and chopping edge of the cabbage is on the open bottom rim of the
4-> cylindrical body.

5 The combination canister cover and cookie cutter anticipated by Jane Ancona and Bruce Ancona differs from the cabbage cutter in that the canister cover includes a disc having an upper surface and a lower surface and an annular skirt that extends downward from the disc and this skirt has internal screw threads on the inner wall which cooperate with internal threads on the canister to enable the cover to be screwed onto the canister, and the disc has a raised image-forming pattern on upper surface, and the circular top cover is not permanently affixed to the canister, whereas, the circular top of the cabbage cutter is closed with a handgrip permanently affixed to the closed top.

The trimming knife anticipated by Elmer S. Harris differs from the cabbage cutter in that the trimming knife lacks a protective cover for cutting edge and lacks a permanently affixed handgrip.

The Italian made cutter sets by Kitchen Classics differs from the cabbage cutter in that each cutter lacks a closed top, a handgrip, and each lacks an individual protective cover. The cutters are enclosed in a tin for protection.

The ice cream sandwich maker or the like anticipated by John V. Zaruba, Rino Conti, and Howard J Morrison differs from the cabbage cutter in that the ice cream sandwich maker lacks a cutting edge and cover.

The food preparation device anticipated by Carl W. Johnson differs from the cabbage cutter in that the circular top of the food preparation device is open, whereas, the cabbage cutter has a closed top. The food preparation device lacks a protective cover for the cutting and chopping edge, whereas, the cabbage cutter has a cover for the cutting and chopping edge.

The kitchen utensil anticipated by A. L. Palmer differs from the cabbage cutter in that the device lacks a handgrip and a cover for the cutting edge; and at the upper end of the cylindrical body there is a shorter tube, of smaller dimension, with a rounded or dome-shaped cover that fits in

the open top of the cylindrical body, whereas, the cylindrical body of the cabbage cutter has equal dimensions from the top to the bottom, and the cabbage cutter has a handgrip and a cover for the cutting and chopping edge.

The dehorner anticipated by S. S. Bundy differs from the cabbage cutter in that the dehorner has three separate cutting elements. The tubular body is provided at both ends with circular cutting edges of different diameters, and both ends are threaded at both ends adjacent to the cutting edges. In addition, the device has a curved blade with a longitudinal cutting edge and a handle to which the blade is fixed and by which the blade is carried, the handle being threaded at end where blade is fixed. This handle may be engaged (screwed on) to the small cutting edge end or to the large cutting edge end. Also, a removable plug is inserted in the end of the body opposite to the handle to prevent dust and grit from the interior of the body. Whereas, the cabbage cutter has one cutting and chopping edge and, other than the protective cover, has no removable or interchangeable parts.

The biscuit cutter anticipated by S. S. Patton differs from the cabbage cutter in that the device lacks a cover for the cutting edge, and the device has two different dimensions. The cylindrical body has a reduced cylindrical extension formed on the top of the cup serving as a handle, whereas, the cabbage cutter has a cover for the cutting and chopping edge, and the cylindrical body of the cabbage cutter is of one dimension.

The pyrohy maker anticipated by Loretta Secondiak differs from the cabbage cutter in that the pyrohy maker has a press portion that includes outer perimetrical cutter rim terminating with a lower perimetrical cutting edge and a horizontal relatively narrow cutting edge situation in a plane spaced below a horizontal sealing portion, and the portion immediately above the horizontal sealing portion is thickened and reinforced with ribs, and the pyrohy maker lacks a cover for the cutting edge, whereas, the cabbage cutter has one cutting edge on the open bottom rim of the cylindrical body and has a protective cover for the cutting and chopping edge.

The canapé maker anticipated by Robert S. Lutzker differs from the cabbage cutter in that the canapé maker has a piston slidably mounted within a bore inside the

cylindrical body, a finger actuated stem extending through the closed top end, a handle attached to the stem for moving the piston longitudinally within the body, and the piston has a central opening extending therein; and the cutting edge of the device is tapered; and the device lacks a cover for the cutting edge, whereas, the cabbage cutter has a permanently closed top and the device has a protective cover for the cutting and chopping edge.

The fencing point to indicate hits invented by Lucien-
Georges Dubourg differs from the cabbage cutter in that the device lacks a cutting edge. The device is related to the sport of fencing. The invention is a device that encloses an ink stamp that is mounted on the point of a fencing sword that marks at each touch an imprint, durable and visible to the naked eye, to erase all disputes regarding contested hits, and the device constitutes the protector button of that point.

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